

services to employers or employees under the testing program.

(9) **TESTING PROGRAM.**—The term “testing program” means the alcohol and controlled substances testing program required under title 49, Code of Federal Regulations.

(Added Pub. L. 112-141, div. C, title II, § 32402(a)(2), July 6, 2012, 126 Stat. 795.)

#### REFERENCES IN TEXT

The date of enactment of the Safe Roads Act of 2012, referred to in subsec. (a)(1), is the date of enactment of subtitle D of title II of div. C of Pub. L. 112-141, which was approved July 6, 2012.

Section 226 of the Motor Carrier Safety Improvement Act of 1999, referred to in subsec. (b)(1)(A), is section 226 of Pub. L. 106-159, which is set out as a note under section 31306 of this title.

The Privacy Act of 1974, referred to in subsec. (d)(1), is Pub. L. 93-579, Dec. 31, 1974, 88 Stat. 1896, which enacted section 552a of Title 5, Government Organization and Employees, and provisions set out as notes under section 552a of Title 5. For complete classification of this Act to the Code, see Short Title of 1974 Amendment note set out under section 552a of Title 5 and Tables.

The Fair Credit Reporting Act, referred to in subsec. (d)(2), is title VI of Pub. L. 90-321, as added by Pub. L. 91-508, title VI, § 601, Oct. 26, 1970, 84 Stat. 1127, which is classified generally to subchapter III (§ 1681 et seq.) of chapter 41 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 15 and Tables.

#### EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

### § 31307. Minimum training requirements for operators of longer combination vehicles

(a) **DEFINITION.**—In this section, “longer combination vehicle” means a vehicle consisting of a truck tractor and more than one trailer or semitrailer that operates on the Dwight D. Eisenhower System of Interstate and Defense Highways with a gross vehicle weight of more than 80,000 pounds.

(b) **REQUIREMENTS.**—The Secretary of Transportation shall maintain regulations establishing minimum training requirements for operators of longer combination vehicles. The training shall include certification of an operator’s proficiency by an instructor who has met the requirements established by the Secretary.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1020; Pub. L. 112-141, div. C, title II, § 32931(c), July 6, 2012, 126 Stat. 829; Pub. L. 114-94, div. A, title V, § 5508(b)(5), Dec. 4, 2015, 129 Stat. 1554.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31307(a) .....	49 App.:2302 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4007(f), 105 Stat. 2153.
31307(b) .....	49 App.:2302 (note).	Dec. 18, 1991, Pub. L. 102-240, § 4007(b), 105 Stat. 2152.

In subsection (a), the words “a vehicle consisting” are substituted for “any combination” for clarity. The words “Dwight D. Eisenhower System of Interstate and Defense Highways” are substituted for “National Sys-

tem of Interstate and Defense Highways” because of the Act of October 15, 1990 (Public Law 101-427, 104 Stat. 927).

In subsection (b), the words “Not later than 60 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding” are omitted as executed.

#### AMENDMENTS

2015—Subsec. (b). Pub. L. 114-94, § 5508(b)(5), amended Pub. L. 112-141, § 32931(c). See 2012 Amendment note below.

2012—Subsec. (b). Pub. L. 112-141, § 32931(c), as amended by Pub. L. 114-94, § 5508(b)(5), substituted “The Secretary of Transportation shall maintain” for “Not later than December 18, 1994, the Secretary of Transportation shall prescribe”.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-94, div. A, title V, § 5508(b), Dec. 4, 2015, 129 Stat. 1554, provided that the amendment made by section 5508(b)(5) is effective as of July 6, 2012, and as if included in Pub. L. 112-141 as enacted.

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

### § 31308. Commercial driver’s license

After consultation with the States, the Secretary of Transportation shall prescribe regulations on minimum uniform standards for the issuance of commercial drivers’ licenses and learner’s permits by the States and for information to be contained on each of the licenses and permits. The standards shall require at a minimum that—

(1) an individual issued a commercial driver’s license—

(A) pass written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards prescribed by the Secretary under section 31305(a); and

(B) present certification of completion of driver training that meets the requirements established by the Secretary under section 31305(c);

(2) before a commercial driver’s license learner’s permit may be issued to an individual, the individual must pass a written test, that complies with the minimum standards prescribed by the Secretary under section 31305(a), on the operation of the commercial motor vehicle that the individual will be operating under the permit;

(3) the license or learner’s permit be tamperproof to the maximum extent practicable and each license or learner’s permit issued after January 1, 2001, include unique identifiers (which may include biometric identifiers) to minimize fraud and duplication; and

(4) the license or learner’s permit contain—  
(A) the name and address of the individual issued the license or learner’s permit and a physical description of the individual;

(B) the social security account number or other number or information the Secretary decides is appropriate to identify the individual;

(C) the class or type of commercial motor vehicle the individual is authorized to operate under the license or learner’s permit;

(D) the name of the State that issued the license or learner's permit; and

(E) the dates between which the license or learner's permit is valid.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1020; Pub. L. 105–178, title IV, §4011(c)(1), June 9, 1998, 112 Stat. 407; Pub. L. 109–59, title IV, §4122(2), Aug. 10, 2005, 119 Stat. 1734; Pub. L. 110–244, title III, §301(g), June 6, 2008, 122 Stat. 1616; Pub. L. 112–141, div. C, title II, §32304(b), July 6, 2012, 126 Stat. 791.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31308 .....	49 App.:2705.	Oct. 27, 1986, Pub. L. 99–570, §12006, 100 Stat. 3207–175.

The words “Not later than July 15, 1988” are omitted as obsolete.

#### AMENDMENTS

2012—Par. (1). Pub. L. 112–141 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “an individual issued a commercial driver's license pass written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards prescribed by the Secretary under section 31305(a) of this title;”.

2008—Pub. L. 110–244 amended Pub. L. 109–59, §4122(2)(A). See 2005 Amendment note below.

2005—Pub. L. 109–59, §4122(2)(B), substituted “the licenses and permits” for “the licenses” in introductory provisions.

Pub. L. 109–59, §4122(2)(A), as amended by Pub. L. 110–244, inserted “and learner's permits” after “licenses” in introductory provisions.

Par. (2). Pub. L. 109–59, §4122(2)(D), added par. (2). Former par. (2) redesignated (3).

Pars. (3), (4). Pub. L. 109–59, §4122(2)(C), (E), redesignated pars. (2) and (3) as (3) and (4), respectively, and inserted “or learner's permit” after “license” wherever appearing.

1998—Par. (2). Pub. L. 105–178 inserted before semicolon “and each license issued after January 1, 2001, include unique identifiers (which may include biometric identifiers) to minimize fraud and duplication”.

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110–244 effective as of the date of enactment of Pub. L. 109–59 (Aug. 10, 2005) and to be treated as included in Pub. L. 109–59 as of that date, and provisions of Pub. L. 109–59, as in effect on the day before June 6, 2008, that are amended by Pub. L. 110–244 to be treated as not enacted, see section 121(b) of Pub. L. 110–244, set out as a note under section 101 of Title 23, Highways.

#### DEADLINE FOR ISSUANCE OF REGULATIONS

Pub. L. 105–178, title IV, §4011(c)(2), June 9, 1998, 112 Stat. 407, provided that: “Not later than 180 days after the date of enactment of this Act [June 9, 1998], the Secretary [of Transportation] shall issue regulations to carry out the amendment made by paragraph (1) [amending this section].”

#### COMMERCIAL LEARNER'S PERMIT FOR INDIVIDUALS UNDER AGE 18

Pub. L. 114–113, div. L, title I, §132, Dec. 18, 2015, 129 Stat. 2850, provided that: “None of the funds limited or

otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner's permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner's permits to individuals under eighteen years of age as of May 9, 2011.”

#### § 31309. Commercial driver's license information system

(a) GENERAL REQUIREMENT.—The Secretary of Transportation shall maintain an information system that will serve as a clearinghouse and depository of information about the licensing, identification, and disqualification of operators of commercial motor vehicles. The system shall be coordinated with activities carried out under section 31106. The Secretary shall consult with the States in carrying out this section.

(b) CONTENTS.—(1) At a minimum, the information system under this section shall include for each operator of a commercial motor vehicle—

(A) information the Secretary considers appropriate to ensure identification of the operator;

(B) the name, address, and physical description of the operator;

(C) the social security account number of the operator or other number or information the Secretary considers appropriate to identify the operator;

(D) the name of the State that issued the license or learner's permit to the operator;

(E) the dates between which the license or learner's permit is valid; and

(F) whether the operator had a commercial motor vehicle driver's license or learner's permit revoked, suspended, or canceled by a State, lost the right to operate a commercial motor vehicle in a State for any period, or has been disqualified from operating a commercial motor vehicle.

(2) The information system under this section must accommodate any unique identifiers required to minimize fraud or duplication of a commercial driver's license or learner's permit under section 31308(3).

(c) AVAILABILITY OF INFORMATION.—Information in the information system shall be made available and subject to review and correction in accordance with the policy developed under section 31106(e).

(d) FEE SYSTEM.—The Secretary may establish a fee system for using the information system. Fees collected under this subsection in a fiscal year shall equal as nearly as possible the costs of operating the information system in that fiscal year. The Secretary shall deposit fees collected under this subsection in the Highway Trust Fund (except the Mass Transit Account).

(e) MODERNIZATION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this subsection, the Secretary shall develop and publish a comprehensive national plan to modernize the information system under this section that—

(A) complies with applicable Federal information technology security standards;

(B) provides for the electronic exchange of all information including the posting of convictions;